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Attorneys for Petitioners

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)
)
)
Shell Offshore, Inc.) OCS Appeal Nos. 08-01, 08-02, 08-03
)
Permit No. R10OCS-AK-07-01 (Revised))
)
_____)

**REQUEST FOR EXTENSION OF TIME TO FILE PETITIONERS' RESPONSES
FROM OCTOBER 20, 2008 TO OCTOBER 28, 2008**

**Alaska Wilderness League, Center For Biological Diversity, Natural Resources
Defense Council, Northern Alaska Environmental Center, Pacific Environment,
Resisting Environmental Destruction On Indigenous Lands, A Project Of The
Indigenous Environmental Network ("REDOIL")**

Petitioners Alaska Wilderness League et al. (hereinafter referred to as the League) hereby file a request to the Environmental Appeals Board (the Board) to modify the briefing schedule to allow petitioners to file on October 28, 2008 their responses to EPA Region 10 and Shell Offshore, Inc., briefing. The current briefing schedule established October 20, 2008 as the date on which petitioners' final briefs would be due.

The League requests this response for several reasons. First, League attorney Peter Van Tuyn is presenting oral argument to the D.C. Circuit Court of Appeals in another matter on October 17, 2008. At the time the Board established the briefing schedule in this EAB appeal, the oral argument date for the D.C. Circuit argument was October 2, 2008, and thus not in conflict with final briefing in this appeal. The D.C. Circuit subsequently cancelled that argument, and recently rescheduled it for October 17, 2008. The D.C. Circuit Court clerk has also indicated that a request to reschedule that argument is highly unlikely to be granted. It is not possible for Mr. Van Tuyn to prepare for and present that argument in the same time frame as the League's response is due in this matter.

Further, League attorney Clayton Jernigan has left his employment with Earthjustice. He is therefore not available to work on the response briefing.

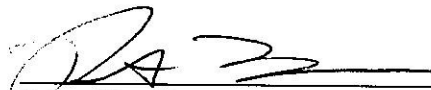
Mr. Jorgensen's role in the appeal is as reviewing attorney, and he is not familiar with the substantial administrative record in this case. In addition, he has pre-existing commitments in the relevant time frame. Consequently, it is not possible for Mr. Jorgensen to prepare a response brief to meet the October 20, 2008 deadline.

Finally, the League recently was contacted by the American Petroleum Institute (API), which indicated its intent to seek permission for and file an amicus brief in support of EPA in this matter. The League has not yet received API's filing, but assuming that API' participation is approved petitioners then will be in the position of responding to three briefs, rather than two. This further justifies a short extension for the filing of the final briefs.

Petitioners North Slope Borough, et al., and Bill MacClarence have no objection to this request. Respondent EPA, Region 10 has no objection to this request. Respondent-Intervenor Shell Offshore, Inc., does not consent to this request.

DATED this 2nd day of October, 2008

Respectfully submitted,



Peter Van Tuyn
Bessenyey & Van Tuyn, L.L.C.

Eric Jorgensen
Earthjustice

Attorneys for Petitioners Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, Pacific Environment, and Resisting Environmental Destruction On Indigenous Lands, a project of the Indigenous Environmental Network ("REDOIL")

CERTIFICATE OF SERVICE

I, Peter Van Tuyn, hereby certify that on October 1, 2008, I served true and correct copies of the attached Request For Extension Of Time To File Petitioners' Responses From October 20, 2008 To October 28, 2008 to the following parties by first class mail:

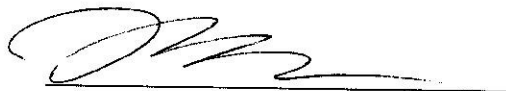
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DATED: October 2, 2008



Peter Van Tuyn